

## **Small Business Administration Acquisition Alert (SBA-AA)**

<b>Title</b>	Class Deviation from Federal Acquisition Regulation (FAR) Part 9.4 – Flexibilities for Suspending or Debarring Official’s Correspondence with Contractors
<b>Reference Number</b>	2023-05
<b>Version Number</b>	1
<b>Date Issued</b>	03/07/2023
<b>Function(s)</b>	Acquisition
<b>Point of Contact</b>	Nauman Ansari
<b>Source of this Requirement</b>	Civilian Agency Acquisition Council Letter 2020-01
<b>Regulatory Reference</b>	FAR 9.4

### **Purpose**

The purpose of this SBA Acquisition Alert (AA) is to authorize a Class Deviation providing flexibilities for the Suspending or Debarring Officials (SDOs) who need to correspondence with contractors.

### **Effective Date**

This AA will be effective upon issuance and will remain in effect until cancelled, rescinded, incorporated into the SBA Acquisition SOP or Federal Acquisition Regulation (FAR).

### **Background**

On April 1, 2020, the Civilian Agency Acquisition Council (CAAC) issued CAAC Letter 2020-01. The CAAC letter was issued to serve as consultation in accordance with FAR 1.404 allowing agencies to authorize a class deviation to provide flexibilities for SDOs who need to correspond with contractors being suspended, proposed for debarment, or debarred

This class deviation allows greater flexibility for the Small Business Administration (SBA) SDO by providing a means of electronic delivery of notices of suspension, proposed debarment, and debarment to contractors in addition to certified mail, return receipt requested as required under FAR 9.406-3 and FAR 9.407-3. The class deviation will also allow for greater flexibility in allowing contractors to make presentations via telephone or internet. The areas of the FAR that are being amended by this class deviation are: 9.406-3(b)(1), (c), and (e); 9.407-3(b)(1), (c), and (d)(4).

The current SDO for SBA is Mr. John Klein.

### **Action**

The SBA SDO shall utilize the flexibilities outlined in the FAR deviation text issued under CAAC Letter 2020-01 and Contracting Officers shall review the attached CAAC letter to familiarize themselves of the SDO flexibilities.

### **Point of Contact**

Questions regarding this AA should be directed to Nauman Ansari via email at [nauman.ansari@sba.gov](mailto:nauman.ansari@sba.gov).

**Attachments**

Attachment 1 – CAAC Letter 2020-01

**Approval Signature**

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Nauman A. Ansari  
Senior Procurement Executive